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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 RICK D. WEBER,

09 Plaintiff,

10 v.

11 MICHAEL ASTRUE,
Commissioner of Social Security,

12 Defendant.
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) CASE NO. C11-1124-JLR
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) REPORT AND RECOMMENDATION
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14 Plaintiff brought this action to seek judicial review of the denial of his application for
15 Supplemental Security Income by the Commissioner of the Social Security Administration.
16 The parties have now stipulated that this case should be reversed and remanded pursuant to
17 sentence four of 42 U.S.C. § 405(g). (Dkt. 19.)

18 Based on the stipulation of the parties, the Court recommends that this case be
19 REVERSED and REMANDED for further administrative proceedings. The parties have
20 stipulated that, on remand, the Administrative Law Judge (ALJ) will: (1) provide a de novo
21 hearing and a new decision pursuant to sentence four of 42 U.S.C. § 405(g); (2) re-assess the
22 medical evidence of record, including but not limited to the opinions of Guthrie Turner, M.D.;

01 (3) re-assess plaintiff's credibility and residual functional capacity; and (4) obtain evidence
02 from a vocational expert. The parties also stipulate that plaintiff may submit additional
03 evidence and arguments to the ALJ on remand, that plaintiff may appear and testify at a
04 supplemental hearing, and that any other aspects of the ALJ's prior decision not specifically
05 addressed here are not affirmed. Additionally, upon proper application, the Court will
06 consider plaintiff's application for attorney fees and expenses pursuant to 28 U.S.C. § 2412, and
07 costs pursuant to 28 U.S.C. § 1920.

08 Given the above, the Court recommends that United States District Judge James L.
09 Robart immediately approve this Report and Recommendation and order the case REVERSED
10 and REMANDED for further administrative proceedings. A proposed order accompanies this
11 Report and Recommendation.

12 DATED this 7th day of December, 2011.

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15 Mary Alice Theiler
United States Magistrate Judge